UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,457	12/29/2000	Gopal N. Iyer	00262	7190

7590 08/12/2004	EXAMINER
Michael D. Lazzara	D AGOSTA, STEPHEN M
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ART UNIT	PAPER NUMBER
2683	13

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DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/751,457	IYER, GOPAL N.
	Examiner	**Art Unit**	
	Stephen M. D'Agosta	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-3,6-8,11-13,16-18,20 and 21* is/are rejected.

7) ☒ Claim(s) *4,5,9,10,14,15 and 19* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *29 August 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8-12*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Drawings

Figures 1-2 should be designated by a legend such as --Prior Art-- because only

that which is old is illustrated. See MPEP § 608.02(g). Corrected drawing sheets are

required in reply to the Office action to avoid abandonment of the application. The

replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as

per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the

changes are not accepted by the examiner, the applicant will be notified and informed of

any required corrective action in the next Office action. The objection to the drawings

will not be held in abeyance.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 1-3, 6-8, 11-13, 16-18 and 20-21 rejected under 35 U.S.C. 102(e) as

being anticipated by Hernandez III US 6,658,646 (hereafter Hernandez)

The applied reference has a common Assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art

under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome

either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

the reference was derived from the inventor of this application and is thus not the

invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per **claim 1**, Hernandez teaches a method for updating data in a database associated with a wireless network including Lucent equipment (C2, L19-25 teaches Lucent and database), pursuant to a digital retune of said wireless network (C2, L1-18 teaches network "tuning" performed by a cell site engineers), comprising:

Receiving as user input at least two files, a first file containing CTM/TPPTM data and a second file containing DCCH information (C69, DB FORM NAME Table shows files/forms containing "CTM" and DCCH" information);

Generating one or more scripts to update call-specific data in one or more Lucent ECP forms in said database using said first and second files (C2, L19-31 teaches monitoring of Lucent hardware which supports extracting data about it, eg. call-specific data from an ECP. Hernadez also teaches updating the APXRCV database, C24, L40-45 which one skilled would use to update call-specific data in an ECP, see C61, L25-67);

Inputting said scripts to an APXRCV script (C3, L59 to C4, L6 teaches scripting language, also see C8, SCRIPT #1 and/or C10, SCRIPT #2); and

Executing said APXRCV script to update said call-specific data in said Lucent ECP forms (see C8 and/or C10 SCRIPTS #1/#2 which are executed to provide automated updating of the Lucent database(s)).

The examiner notes that Hernandez discloses a "generic" scripting language/system to relieve the arduous manual process of typing-in all the commands required for tuning/fixing of the cell site(s). Hence the examiner interprets that the scripting language can be tailored to support retuning of a wireless network, as disclosed in C2, L1-18, for call-specific data updates.

As per **claim 2**, Hernandez teaches claim 1 wherein said forms are selected from the group consisting of CEQSU2, DCCH, CTM, RESEL and FCI (C69, DB FORM NAME table lists these parameters).

As per **claim 3**, Hernandez teaches claim 2 further comprising executing said scripts to locate occurrences of cell/fce data in a MAHO list for said resel and fci forms (applicant discloses that Face Code Information "..contains information concerning the cell site in the handoff function based on 1) server group and 2) antenna face. That is, the neighbor list of MAHO for a particular cell face is contained in this form.." (specification, page 9, see "Fci" definition).

As per **claim 6**, Hernandez teaches claim 1 comprising generating one or more scripts for at least one of removal and restoration from said wireless network of one or more radios during said digital retune (C2, L1-18 teaches cellular engineers making modifications to the network to "tune" it for optimal operation while the Abstract teaches use of a scripting language to reduce human interaction/typing, hence one skilled would use the scripting language to automate digital retuning which inherently requires adding/removing radios – and thus a script would be written to remove/restore said radios).

As per **claim 7**, Hernandez teaches claim 1 comprising running one or more scripts in check mode to identify in said database prior to updating said fields in said forms (C26, L66 to C27, L9 teaches ERRORS being identified. One skilled would determine if errors exist prior to running any database operations to ensure the data is correct and up-to-date).

As per **claim 8**, Hernandez teaches claim 1 comprising generating a report containing any errors identified in said database (C26, L6 to C27, L9 teaches identifying any errors found).

As per **claim 11**, Hernandez teaches a computer-readable medium containing instructions for updating data in a database associated with a wireless network including Lucent equipment (C2, L19-25 teaches Lucent and database), pursuant to a digital retune of said wireless network (C2, L1-18 teaches network "tuning" performed by a cell site engineers), comprising:

Instructions for receiving as user input at least two files, a first file containing CTM/TPPTM data and a second file containing DCCH information (C69, DB FORM NAME Table shows files/forms containing "CTM" and DCCH" information);

Instructions for generating one or more scripts to update call-specific data in one or more Lucent ECP forms in said database using said first and second files (C2, L19-31 teaches monitoring of Lucent hardware which supports extracting data about it, eg. call-specific data from an ECP. Hernadez also teaches updating the APXRCV database, C24, L40-45 which one skilled would use to update call-specific data in an ECP, see C61, L25-67);

Instructions for inputting said scripts to an APXRCV script (C3, L59 to C4, L6 teaches scripting language, also see C8, SCRIPT #1 and/or C10, SCRIPT #2); and

Instructions for executing said APXRCV script to update said call-specific data in said Lucent ECP forms (see C8 and/or C10 SCRIPTS #1/#2 which are executed to provide automated updating of the Lucent database(s)).

The examiner notes that Hernandez discloses a "generic" scripting language/system to relieve the arduous manual process of typing-in all the commands required for tuning/fixing of the cell site(s). Hence the examiner interprets that the scripting language can be tailored to support retuning of a wireless network, as disclosed in C2, L1-18, for call-specific data updates.

As per **claim 12**, Hernandez teaches claim 11 wherein said forms are selected from the group consisting of CEQSU2, DCCH, CTM, RESEL and FCI (C69, DB FORM NAME table lists these parameters).

As per **claim 13**, Hernandez teaches claim 12 further comprising executing said scripts to locate occurrences of cell/fce data in a MAHO list for said resel and fci forms (applicant discloses that Face Code Information "..contains information concerning the cell site in the handoff function based on 1) server group and 2) antenna face. That is, the neighbor list of MAHO for a particular cell face is contained in this form.." (specification, page 9, see "Fci" definition).

As per **claim 16**, Hernandez teaches claim 11 comprising generating one or more scripts for at least one of removal and restoration from said wireless network of one or more radios during said digital retune (C2, L1-18 teaches cellular engineers making modifications to the network to "tune" it for optimal operation while the Abstract teaches use of a scripting language to reduce human interaction/typing, hence one skilled would use the scripting language to automate digital retuning which inherently requires adding/removing radios – and thus a script would be written to remove/restore said radios).

As per **claim 17**, Hernandez teaches claim 11 comprising running one or more scripts in check mode to identify in said database prior to updating said fields in said forms (C26, L66 to C27, L9 teaches ERRORS being identified. One skilled would determine if errors exist prior to running any database operations to ensure the data is correct and up-to-date).

As per **claim 18**, Hernandez teaches claim 11 comprising generating a report containing any errors identified in said database (C26, L6 to C27, L9 teaches identifying any errors found).

As per **claim 20**, Hernandez teaches a system for updating data in a database associated with a wireless network including Lucent equipment (C2, L19-25 teaches Lucent and database), pursuant to a digital retune of said wireless network (C2, L1-18 teaches network "tuning" performed by a cell site engineers), comprising:

A user access device for receiving at least two files, a first file containing CTM/TPPTM data and a second file containing DCCH information (figure 3 shows computer interace/terminal and C69, DB FORM NAME Table shows files/forms containing "CTM" and DCCH" information);

A processor for generating one or more scripts to update call-specific data in one or more Lucent ECP forms in said database using said first and second files (figure 3 shows computer terminals with processors and C2, L19-31 teaches monitoring of Lucent hardware which supports extracting data about it, eg. call-specific data from an ECP. Hernadez also teaches updating the APXRCV database, C24, L40-45 which one skilled would use to update call-specific data in an ECP, see C61, L25-67);

Said processor for inputting said scripts to an APXRCV script (C3, L59 to C4, L6 teaches scripting language, also see C8, SCRIPT #1 and/or C10, SCRIPT #2); and

Said processor for executing said APXRCV script to update said call-specific data in said Lucent ECP forms (see C8 and/or C10 SCRIPTS #1/#2 which are executed to provide automated updating of the Lucent database(s)).

The examiner notes that Hernandez discloses a "generic" scripting language/system to relieve the arduous manual process of typing-in all the commands required for tuning/fixing of the cell site(s). Hence the examiner interprets that the scripting language can be tailored to support retuning of a wireless network, as disclosed in C2, L1-18, for call-specific data updates.

As per **claim 21**, Hernandez teaches claim 20 comprising generating a report containing any errors identified in said database (C26, L6 to C27, L9 teaches identifying any errors found).

Allowable Subject Matter

Claims 4-5, 9-10, 14-15 and 19 objected to as being dependent upon a rejected

base claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

These claims recite highly specific designs which, in the examiner's opinion, are

novel over the prior art cited.

Conclusion

The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure:

1. Jibbe US 6,311,320

2. Padawer et al. US 5,220,675

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Stephen M. D'Agosta whose telephone number is 703-
306-5426. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Bill Trost can be reached on 703-308-5318. The fax phone number for the
organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Stephen D'Agosta